

On July 27, 2001, Gov. Ryan signed House Bill 2138 revising the Illinois Underground Damage Prevention Act. One of the revisions to the act was to have the Illinois Commerce Commission responsible for enforcement of violations of the Act. Presently, the Commission's enforcement duties are required by the legislation to begin on July 1, 2002. However, the revisions to the Act that Governor Ryan approved do not specify how the Commission will go about implementing its new duties. To provide guidance on how the enforcement process will work, ICC Staff has been working on revisions to 83 Illinois Administrative code part 265, "Protection of Underground Public Utility Facilities". Staff's revisions to this rule describe the process the Commission will use to investigate potential violations of the Act. Staff has also revised certain portions of the rule to be consistent with other revisions to the law as well as to aid in the ICC's investigation of potential violations.

To help the Commission develop an enforcement process that is as fair and understandable as possible, Staff is seeking input from all interested parties. Staff will be holding a **Springfield workshop** to discuss the rule, as well as any written or oral comments the parties may have, on **Thursday, November 8, 2001 from 10:00am to 4:00pm at the Ramada Springfield** which is located on the west side of Sixth and Stevenson Streets in Springfield. **NO teleconference hook-up will be available at this workshop.**

A **Chicago-area workshop** will be held the following week – no firm date has been selected but will most likely be November 14 or 15. We will post the date and location as soon as it has been confirmed.

Both the workshop in Springfield and the workshop in the Chicago area will have the same purpose; to get input and comments on our first draft of part 265. You need not attend both workshops, just one or the other (you are free to attend both if you want however).

The activities Staff is now undertaking are the first steps in the process toward a formal rulemaking. The rulemaking process must be completed in time for the Commission's enforcement duties to begin on July 1, 2002.

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